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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM		Application	08/286,189
<i>(to be used for all correspondence after initial filing)</i>		Filing Date	August 5, 1994
		First Named	Sonia E. Sanhueza
		Group Art Unit	1641
		Examiner Name	J. Parkin
Total Number of Pages in This Submission	6	Attorney Docket Number	1038-384 MIS

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (24,973)
Signature	
Date	August 6, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: _____

Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$1,350.00

Complete if Known

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Application Number	08/286,189
Filing Date	August 5, 1994
First Named Inventor	Sonia E. Sanhueza
Examiner Name	J. Parkin
Group Art Unit	1641
Attorney Docket No.	1038-384 MIS

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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

- Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR § 1.27

2. Payment Enclosed:

- Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					

2. EXTRA CLAIM FEES

Total Claims	-20** =	0	X	=	0.00
Independent Claims	- 3** =	0	X	=	0.00
Multiple Dependent					

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203
102	80	202
104	270	204
109	80	209
110	18	210
Claims in excess of 20		Claims in excess of 20
Independent claims in excess of 3		Independent claims in excess of 3
Multiple dependent claim, if not paid		Multiple dependent claim, if not paid
** Reissue independent claims over original patent		** Reissue independent claims over original patent
** Reissue claims in excess of 20 and over original patent		** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		\$0.00

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non - English specification
147	2,520	147	2,520 For filing a request for ex parte reexamination
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	390	216	195 Extension for reply within second month
117	890	217	445 Extension for reply within third month
118	1,390	218	695 Extension for reply within fourth month
128	1,890	228	945 Extension for reply within fifth month
119	310	219	155 Notice of Appeal
120	310	220	155 Filing a brief in support of an appeal
121	270	221	135 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive - unavoidable
141	1,240	241	620 Petition to revive - unintentional
142	1,240	242	620 Utility issue fee (or reissue)
143	440	243	220 Design issue fee
144	600	244	300 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Processing fee under 37 CFR § 1.17(q)
126	180	126	180 Submission of Information Disclosure Statement
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279	355 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application
Other fee (specify) Terminal Disclaimer			110.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$1,350.00

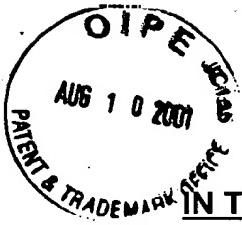
SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Michael I. Stewart	Registration No. (Attorney/Agent)	24973	Telephone	(416) 595-1155
Signature			Date	August 6, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

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#30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sonia E. Sanhueza et al.
Appl'n. No. : 08/286,189
Filed : August 5, 1994
Title : INACTIVATED RESPIRATORY SYNCYTIAL VIRAL VACCINES
Grp./A.U. : 1641
Examiner : J. Parkin
Docket No. : 1038-384 MIS:jb

August 6, 2001

BY COURIER

The Commissioner of Patents
and Trademarks,
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OFFICE OF PETITIONS

PETITION UNDER 35 USC 1.137 (b) FOR
REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Sir:

This communication is being submitted in response to the Decision on Petition dated June 11, 2001. Reconsideration of the denial of the Petition to revive under 37 CFR 1.137(a) filed March 7, 2001 is requested.

The Petition was denied on the basis that:

- (1) There was no showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unavoidable.
- (2) A terminal disclaimer pursuant to 37 CFR 1.137(c) was not filed.
- (3) It is hereby stated, under the signature of the undersigned, that the abandonment was unintentional and that the entire delay in filing the required reply from the due date for the reply until the filing of this Petition was unintentional.

In the Decision, it is indicated that no corroborative documentary evidence was submitted to support the facts outlined in the Petition of March 7, 2001 and that the Petition did not indicate when the abandonment came to the applicants attention.

With respect to the need for a Terminal Disclaimer, this document is enclosed, along with the prescribed fee. Since it is not known the period of abandonment, such period depending on the timing of revival of this application, the terminal disclaimer has been left blank for completion by the Office.

The factual situation concerning the abandonment of this application is set forth in the Petition under 37 CFR 1.137(a) filed March 7, 2001. Under the circumstances and having regard to this Petition, it is submitted that this application should be revived.

It is noted that the extension of time fee is being refunded.

With respect to the address of record, the correct address is as follows:

330 University Avenue
6th Floor,
Toronto, Ontario
Canada, M5G 1R7.

When we moved from Suite 701 to the 6th Floor of 330 University Avenue in 1998; the office was advised of this change and was requested to correct its records globally. Unfortunately, there exist a number of files, including this one, where the old address is still showing the PTO records.

Respectfully submitted,



M.I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 595-1155
FAX No. (416) 595-1163

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: Sonia E. Sanhueza et al

Application No: 08/286,189

Filed: August 5, 1994



Entitled: INACTIVATED RESPIRATORY SYNCYTIAL VIRAL VACCINES

Connnaught Laboratories Limited, a Corporation

(Name of Assignee) (Corporation, Partnership, University, etc.) certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7150, Frame 0232, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the Patent and Trademark Office at
Reel , Frame , or for which a copy thereof is attached.

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2. From: To:
The document was recorded in the Patent and Trademark Office at
Reel , Frame , or for which a copy thereof is attached.

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Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

August 6, 2001

Date



Signature

Michael I. Stewart

Typed or printed name

Agent of Record

Title